

II.B-1 cont. Basis for Jurisdiction II.B

B.1 Able to work. I've had NO Physical Exam done to exclude me from working in the jail.

I believe my 14th amendment is being violated, and Under the ADA, under Title I, 42 USC § 12112, and I would cite the "Public Entity" provisions of the ADA in addition to the employment discrimination provisions, Since prison provides that (N) o otherwise qualified individual with a disability in the U.S. --- Shall Solely by reason of his or her disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial assistance or under any program or activity Conducted by and Executive agency. This means that any agency - including a Dept. of Corrections, Sheriff's Office, etc. --- That receives any Federal Funding is covered by the Rehabilitation Act for all services, programs or activities.

Also Prisoners have the same interest in access to programs, services and activities available to the other inmates in their prison as disabled people on the outside have to the counter-part programs and activities and services outside. See; *Harris v. Thigpen* 941 F.3d 1495, 1522, n.41 (11th Cir, 1991) Rehabilitation Act; *Bonner v. Lewis*, 857 F.2d 559 (9th Cir, 1988)

(COMPLAINT) Cont. From 3 of 11 / II. B II

Pg. ①

Cont. From Pg. 4 of 11 (D) II

A mop and sweep, wipe down the walls, scrub the toilet inside and out, wipe down the bench and my bedding and scrub the sink and clean the window and ~~DOOR~~ Door, I would be subject to a (DR) Disciplinary Right up or Disciplinary Report. Which could entail; or I would be subject to the following but not limited to: Segregation, loss of Good Time, loss of work time, loss of Job or workers status, 23 hr cell in. (LOP) Loss of privileges such as phone, commissary, visits and out time of my cell. It seems that I'm being made to work in my cell and if not lose things, but not gain anything. It's a "Double Standard". AS I am not refusing to work and have NO Major Rule Violations while in custody, I've Passed → passed the CRB to obtain eligibility to work by 3 deputies and the SGT CAS. so I can work, or at least obtain a workers status so I can earn the ability to go home sooner just like everyone else that wants to. Discrimination as per FAE ADA American Disability Act should be looked into. ASK the jail for my Kites you'll see what I've written them. They won't copy them for me to send to you. "COURT order only" The jail says. Each individual must

Ag. ② II.D

has denied my workers status or has referred me to one or all of the others I identified in this Complaint. It's been a Run-a-Round for me just to find out who is doing what. I've asked for a physical Exam to show wheather I am or am Not able to work as the Jail and its medical staff claim that I am Not. Yet No one has actually checked me out. (NO Doctor or NURSE) and yet I told repeatedly I will not be accomodated by the jail to earn work credits in any way shape or form. SGT CAS. Stated to me that she would not make or give or accomodate me by a "light Duty" job. LT Bryson has said in Kites to me numerous times that I will Not be allowed to work. Therefore Not allowing me to earn the ability to get the extra days credit off my sentence. Which is almost (3) days a month (alot) on my 11 month Sentence. It's also kept me incarcerated longer by not letting me become eligible sooner for treatment, in which I can Attended an outside In-patient treatment Center. Which I (if left active workers status) could've been eligible for on February 29th 2020. This "was" my projected release date. I've asked Chris Kaber to at least hear how unfair this treatment is and he has responded with a letter; see attached. Letter to LT Bryson Exhibit (1) Sue Cahill just keeps telling me No and to leave her alone. SGT Stripling wont let me use the law library and has repeatedly told me to quit Kiting. I'm Not getting a

* (COMPLAINT) * Cont. From 4 of 11 (D) II

Pg. ③ II.D
cont.

Job and I'm going to stay in the jail until
June 25th That's Final! So quit bugging people.

* (COMPLAINT) * cont from 40F11(D) II

Pg(1) Cont. 5 of 11(D) IV

(1) Would have to wait 30 days, then file to the Conduct Review Board (CRB) in order to get my job back and to receive all the benefits with it. So I waited the 30 days filed my CRB and passed. Two out of 3 deputies said I could have my job eligibility back, as well as the Sargent overseeing the CRB. Sargent has final say on the CRB. SGT CAS was that Sargent and she passed me, also. She (SGT CAS) said we will start all over, from the beginning. So SGT CAS sent me the paperwork to fill out and I did and sent it back (Kite, Forms and All)

(2) Here-in lies the problem; Medical was to come and look me over but never did. So I talked to Sue Cahill the Medic when she came into the POD for the distribution of med's and she stated she would not let me work. I asked why? She then at this time said the LT Bryson said 'NO'. Later it changed to she (Sue) just would not do it as I was a liability. I asked how she came to that conclusion and she said that I was kiting her for Aspirins or to make my appointment with the orthopedic surgeon. I then said you haven't even looked at me and besides the Jail is making me do the exact same work at least once a week as the POD workers do for their jobs. So what was the difference? Then I asked if I could just have

(COMPLAINT) Cont From Pg 5 of 11(D) Pg. 11 IV Statement of Claim

Pg 2

Cont. From SOF 11(D)

have my workers status back like I had before? She said, "that's not up to me," "Kite the SGT Cas." So I did and asked if she would at least give me a light duty job or accomodate me somehow as to earn my workers status and begin to earn my work Good time again like I was before. "seeing as how it was a "Previous Practice", and that the Jail knew at that time about my hip and that I was not actually working but earning my work good time. I explained the CRB, as she knew, and how that made me once again eligible to recieve a workers status of work, and she said "NO"! I asked why? She said NO I said NO and the LT Bryson has said "NO" SO "NO"! So I Kited the LT Bryson, asked him to consider my job or a workers status or a light Duty job of some sort, (See attached Letter to LT BRYSON) Exhibit (2) His response in a kite back was basically, "NO your not getting a job." ~~from me~~

3) So I ask him why again and he blamed it on medical. So I grieved the problem and that solution is attached (see attached Grievance #139)

4) In the meantime talked to Sue to try and get her to look at me again and she then stated, she would talk to me in two or three weeks and see whatsup then.

COMPLAINT Cont From SOF 11(D) pg 2) IV Statement of Claim

Pg 3

cont. 50F11(D)

SO I waited and asked her and then She Said 'NO'. That's when again I Noted to her that I was doing the same work by force of the jail as I was asking her (Sue) to clear me for the POD Job. I said if I were to Not do the work expected of me in cleaning my room I could receive a (DR) Disiplinary Report, And therefore be Subject to, and not limited to, loss of work time Credits, loss of Good time Credits, a 23 hour celling, loss of privileges and even Segregation (The Hole). I explained to her in front of Deputy Wilson, (The man) all of this, She then said "That's up to the jail wheather you clean your room or not, NOT up to me!"

4) Repeatedly I've mentioned this to Staff, the LT, the Sheriff the Sargents and deputies, That I am 'NOT' excused from cleaning my room. Yet I am 'NOT' allowed to work. And the tasks for work and cleaning my cell, "are the same", except the POD workers don't have to clean MY ROOM!" WORK is WORK. ~~IT~~

5) IF I can lose work time, workers status Good time and much more for NOT cleaning my cell, (room) why can't I Not at least be either Get those Credits and privileges or at least get my job back Since

COMPLAINT cont From Pg 50F11(D)/Pg 3 III Statement of Claims

Pg 4 cont, From 5 of 11 (D) Complaint/

I'm doing even being forced under punishment to do the same work?

6) On or about Feb. 25th 2020 I was able to go see an orthopedic surgeon, (CDR. Gillian Bailey) She ^{verbally} told me and Deputy Fettingers that "I could work at whatever I was comfortable with" When I told her about trying to get my job back she, "alright, I'm not sure how that works so I'll write you a 'Sit Down' job's will be OK." She then said but like I said You know what you can handle and what you can't, It's not like your going to breakdown on the job, (Just so you know I can push a broken down car down the road. Did it on my way to jail before I came in.) ("I'm not Broken")

7) Many people have been following this Issue of mine and have seen the transparent eniquities or the wrongness of this situation. Deputy Fettingers was the one that used the phrase, "Past or Previous Practice"; Corporal Hansen and deputy Thompson were the ones that gave me my workers status and told me it was only fair to be able to keep it after I couldn't or the jail would not let me work.

8) In my grievance I use the jail's Handbook for Inmates on rules and what is expected of us and the jail.

(COMPLAINT) CONT, From 5 of 11 (D) / Pg 4 ^{statement} _{claim}

Pg 5 cont from 5 of 11 (D) COMPLAINT

In the Klamath County Detention Center Inmate Handbook, Revised March 2020, The First ~~thing~~ thing you read is Inmate Expectations; P. 2 - A. (1) You have the 'Right' to humane treatment with respect, impartiality and Fairness.

9) On this expectation I said in my grievance, "Don't you, (The jail) think that since I've been accepted and passed by the CRB and I am now eligible to work again, That I at least in all 'Fairness' I get my workers status back so I can start earning my work good time credits again? And also out of Fairness,

Since I'm made to Sweep, mop, wipe down the walls wipe down my bedding scrub the toilet etc.... Shouldn't I either get a job or 'NOT' have to clean my room since I'm a liability and might hurt myself? IS it NOT fair to not discriminate between the two jobs of work, Should I either be allowed to do both or Neither? The response is attached it said basically my claims for discrimination were unfounded as well as being treated unfairly. See Attached Exhibit (3)

Statement of
COMPLAINT continued from 5 of 11 (D) / Pg 5 IV claim

VI 5 of 11 Relief

Both my truck and car were stolen, The Truck a 2004 F150 XLT ~~and~~ Ford, in Good Condition and a Nissan Altima 2004 Coupe in Fair condition I reported them to the Sheriff here at the jail. My Nephew Found the car and a Sheriff Deputy came to talk to me in the jail. He said, "I Knocked on the door of the house where your car is and no one answered." I said then what He stated, "I Left," That's all I've heard since. I'm being treated unfairly and unjustly I'm asking to have the jail Reform their jobs and accomodate people with handi caps so we may enjoy the same interests Privileges, Services, programs as other inmates do and the ability to earn a work Time Credit so we also have the ability to go home to our loved ones and continue our lives. My Monetary Value with all that I've lost a life, my liberty and the ability to protect my own and earn a good life 150,000.56 That includes my trailer that was set on fire, towed away and destroyed before I could get there, in less than 24 hrs The County towed it away and brought it to the dump. And for the unnecessary Stress this has caused me during this COVID-19 Pandemic. I have one brother left in my family and he is sick in California. I Can't help him either while I'm in here. He is 50+ years old and could ~~possibly~~ ~~possibly~~ possibly die.

Complaint 5 of 11 VI Relief P(1)

① Michael Wallace Crenshaw #15811240 ID#49232 Cell-C5

I am writing as an Inmate in the Klamath County jail ID#49232-Cell#C5, I am currently doing State time in the county, on case #18CR10688, 3201 Vandenburg Rd Klamath Falls, OR 97603

I am writing also to find out what rules and laws pertain to me while a prisoner in county doing state time. I'm I afforded the same rights as a prisoner in a state facility? I ask this because I was recently celled-in for having "Kitchen" Food in my bowl in my cell. (I was eating it at the time) Any how, Due to this cell-in, I was put in my room for 23 hrs. No phone, No out time. No Classroom. How ever I asked the Deputy that celled me in if I would still get my visit on Wednesday, seeing how workers get an extra visit during the week on that day. It being Tuesday. He said, "Yes, I don't see why not your cell-in will be up by then. It was 5:00pm when I was celled in at this time I asked him to talk to me about what was going on and to look in my bowl. He *stated NO he had a report to write up. That was the last I heard about it until SGT CAS came into the POD February 7, when I was trying to go to treatment and I found out my Projected Release Date was moved out from April 29, to June 25, 2020. Now

LETTER TO DOME BUILDING
Exhibit #12 sent 3/10/20

The
TIME
WAS
JANUARY
21st

(2)

LETTER TO DOME BUILDING
Exhibit #12 sent 3/10/20

I was Not able to go to treatment After I Found a bed in an in-patient treatment center and had a possible Date for that bed. Due to the Fact that (According to A Parole officer) I was Not close enough to my out date. Since I've talked to the Deputy that called me in and asked him if by chance he knew that I was a worker when he called me in. He Stated, "NO" I told him that I lost my work time and my Job Status. He Said, "That doesn't concern me."

Now why tell you all this? Because I never recieved DUE PROCESS.

I've gotten NO PAPERWORK at All. Nothing Stating that I had even lost my Job Status Nothing in the Rule book saying when called in you will lose your job or ~~job~~.

I was not Afforded a Hearing to hear or be heard. in this matter and I still have not recieved anything of the incident in writing as of this letter 2-11-20

My Question is; DO I have the RIGHT to Due Process, If Im to lose my job? my projected work time? ARE they not taking Away my FREEDOM? With out any one Checking it out first or informing me

③

OF this violation? Am I NOT entitled to the same RIGHTS of a State Prisoner? The Right to be heard or to hear why this was done to me and the evidence there of. I received NOTHING IN WRITING!

Can the County just take and give my freedom whenever they wish.

The Deputy didn't even know the consequences of his actions. Neither do any of the (4) Four Deputies and (1) Cop that I asked here in the jail about this matter. It seems to me this county of Klamath has Deputies working for them that don't know the rules and what they pertain. It's like a child running around with a loaded gun. "HE THINKS IS ON SAFETY". Pulling Inmates freedoms at will. And Not Even Knowing it. I have a life that I want to get back too Also.

Can you please give me some information on this matter or at least where to turn or what to do. I've called my Public Defender and have gotten NO where as of yet.

I Respectfully Thank You in Advance for your time and consideration in this matter

Respectfully Yours, Michael Crenshaw

Info

Michael W Crenshaw
~~3201 Vandenburg~~

3201 Vandenburg Rd
Klamath Falls, OR
97603

OVER →

LETTER TO DOME BUILDING

Exhibit # 12/10/20
Sent 3/10/20